

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**

**UBIQUITOUS CONNECTIVITY, LP,
Plaintiff,**

v.

**CENTRAL SECURITY GROUP –
NATIONWIDE, INC., d/b/a ALERT 360,
Defendant.**

CASE NO. 4:18-cv-00368-JED-FHM

PATENT CASE

JURY TRIAL DEMANDED

**NOTICE OF SUPPLEMENTAL AUTHORITY IN FURTHER SUPPORT OF
CENTRAL SECURITY GROUP – NATIONWIDE, INC.’S
RULE 12(b)(6) MOTION TO DISMISS FOR FAILURE TO
STATE A CLAIM AND MEMORANDUM OF LAW IN SUPPORT THEREOF**

After briefing was complete for Defendant Central Security Group – Nationwide, Inc.’s (“CSG”) Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim and Memorandum of Law in Support Thereof (Dkt. 13, “Dismissal Motion”),¹ and for Plaintiff Ubiquitous Connectivity, LP’s (hereinafter, “Ubiquitous”) Motion for Leave to Amend Its Complaint (Dkt. 34, “Motion to Amend”),² two opinions were issued by the District of Delaware that provide for denying plaintiff’s motion for leave to amend a complaint when a motion to dismiss under Section 101 is granted:

1. *Search & Soc. Media Partners v. Facebook, Inc.*, No. CV 17-1120-LPS-CJB, 2019 WL 581616 (D. Del. Feb. 13, 2019) [copy attached as Exhibit A].

¹ Ubiquitous filed its Opposition to the Dismissal Motion on November 5, 2018 (Dkt. 27); and CSG filed its Reply in support of the Dismissal Motion on November 26, 2019 (Dkt. 31).

² Ubiquitous filed its Motion to Amend on December 17, 2018 (Dkt. 34); CSG filed its Response in Opposition on December 21, 2018 (Dkt. 35); and Ubiquitous filed its Reply in support on January 4, 2019 (Dkt. 37).

2. *Citrix Sys., Inc. v. Avi Networks, Inc.*, No. CV 17-1843-LPS, 2019 WL 582480 (D. Del. Feb. 13, 2019) [copy attached as Exhibit B].

Each of these recent opinions provides additional support for granting CSG's Dismissal Motion under Section 101 and denying Ubiquitous's Motion to Amend.

Dated: March 29, 2019

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Bret T. Winterle

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**COUNSEL FOR DEFENDANT
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NATIONWIDE, INC.**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on March 29, 2019, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Bret T. Winterle
Bret T. Winterle